

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DO NO HARM,

Plaintiff,

v.

THE UNIVERSITY OF
PENNSYLVANIA HEALTH SYSTEM
et al.,

Defendants.

No. 2:25-cv-01435-CMR

NOTICE OF ACCEPTED RULE 68 OFFER OF JUDGMENT

Per Rule 68, Plaintiff Do No Harm notifies the Court that it has accepted Defendants’ Rule 68 offer of judgment. Under that Rule, Defendants can “offer to allow judgment on specified terms.” Fed. R. Civ. P. 68(a). If the Plaintiff “accept[s] the offer” within 14 days, either party can “file the offer and notice of acceptance, plus proof of service.” *Id.* Once those documents are filed, the clerk “must ... enter judgment.” *Id.*

Defendants previously filed the offer and notice of Do No Harm’s acceptance. *See* Dkts.31-32. The parties consented to electronic service of the offer and acceptance; the offer was transmitted by email to Do No Harm on August 4, 2025 (and again by ECF on August 6), Dkt.31; and Do No Harm accepted the offer by email on August 5, Dkt.32. As relevant, Defendants offered the following judgment to resolve this entire case:

2. Defendant WURD, the Defendant who controls the Directory has, with the support of Defendants Penn Medicine and CDHE (“the Consortium”), changed the name of the “Black Doctors Directory” to the “Com-

munity Health and Wellness Directory” and shall only publicize the directory under that name or an equally race-neutral name. The directory is equally open to physicians regardless of race.

3. When determining whether to add a physician to the directory, Defendants will consider any licensed physician in the greater Philadelphia area who demonstrates a commitment to treating patients and communities historically and currently underserved. Defendants will determine whether a physician meets those criteria with-out inquiring about or considering the physician’s race.

4. The judgment shall award nominal damages in favor of Do No Harm in the amount of \$1.

5. Any issues regarding attorney fees or costs have been completely resolved between the parties by separate agreement. No party will take any other action to seek fees or costs.

6. The offer of judgment is made for purposes of Rule 68 only and may not be construed as an admission of liability by Defendants.

Dkt.31 at 1-2. Now that Do No Harm has accepted this offer, Dkt.32, Do No Harm respectfully asks the clerk to enter judgment according to its terms.

Dated: August 20, 2025

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Respectfully submitted,

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